

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on February 14, 2011 at 8:00 AM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Tom Berry, Vice Chairman (R)
Rep. Chuck Hunter, Vice Chairman (D)
Rep. Carlie Boland (D)
Rep. Christy Clark (R)
Rep. Virginia Court (D)
Rep. Timothy Furey (D)
Rep. Edward Greef (R)
Rep. Harry Klock (R)
Rep. Jonathan McNiven (R)
Rep. Pat Noonan (D)
Rep. Michele Reinhart (D)
Rep. Matthew M. Rosendale Sr (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Carolyn Squires (D)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: Rep. Lila Walter Evans (R)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Sandra Sullivan, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 378, HB 441, 2/2/2011; HB 408, 2/2/2011; HB 464, 2/2/2011;
HB 428, 2/2/2011

HEARING ON HB 378

Opening Statement by Sponsor:

00:03:44 Rep. Franke Wilmer (D), HD 64, opened the hearing on HB 378, Provide criteria for pay equity and dispute processes.

Proponents' Testimony:

00:09:21 Al Smith, Montana Trial Lawyers Association
00:10:07 Patricia Lawson, Citizens
00:10:51 Jamee Greer, Montana Human Rights Network

Opponents' Testimony: None

Informational Testimony:

00:11:24 Katherine Kountz, Montana Humans Rights Bureau, Department of Labor and Industry

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:12:01 Rep. Wilmer

00:18:29 Rep. Reichner arrived.

HEARING ON HB 408

Opening Statement by Sponsor:

00:20:43 Rep. Cary Smith (R), HD 55, opened the hearing on HB 408, Provide for timely filing and resolution of claims in medical liability cases.

Proponents' Testimony:

00:23:51 John Flink, Montana Hospital Association

[**EXHIBIT\(buh36a01\)**](#)

[**EXHIBIT\(buh36a02\)**](#)

00:25:38 Dr. Tarif Bakdash, Montana Pediatric Project, St. Vincent Hospital
00:27:20 Dr. Mark Rumans, Physician Chief, Billings Clinic
00:28:43 Dr. David Chavez, Pediatric Urologist, Yellowstone Urology
00:31:12 Dr. Paul Cook, President and CEO, Rocky Mountain Health Network
00:32:43 Dr. K.C. Brewington, Montana Medical Association
00:34:03 Dick Brown, Vice President, Montana Insurance Exchange and President, Montana Hospital Association
00:35:42 Mike Foster, Catholic Hospitals of Montana

00:36:01 Bill Warder, St. Peter's Hospital
00:36:20 John Bennion, Montana Chamber of Commerce

Opponents' Testimony:

00:37:05 Doug Buxbaum, Attorney, Law Firm Buxbaum, Daue and Fitzpatrick
00:45:00 Meeting recessed.

Due to technical errors following a power outage, the full audio file that corresponds to these minutes was not recovered. The meeting continued after the power outage. You will note that the time stamps restart at zero at the point audio was restored.

00:00:00 Meeting resumed.
00:01:40 Chairwoman Arntzen
01:02:02 Rep. McNiven

00:02:15 Mr. Buxbaum
00:12:22 Mr. Smith

[EXHIBIT\(buh36a03\)](#)

[EXHIBIT\(buh36a04\)](#)

[EXHIBIT\(buh36a05\)](#)

00:18:40 Beth Brenneman, Disability Rights Montana

Informational Testimony:

00:20:42 Erin MacLean, Montana Medical Association

Questions from Committee Members and Responses:

00:21:15 Rep. Rosendale
00:21:49 Mr. Buxbaum
00:21:53 Rep. Rosendale
00:22:12 Mr. Buxbaum
00:22:34 Rep. Rosendale
00:23:04 Mr. Buxbaum
00:23:35 Rep. Rosendale
00:24:01 Mr. Buxbaum
00:25:18 Rep. Reinhart
00:25:47 Mr. Buxbaum
00:28:36 Rep. Squires
00:29:21 Dr. Bakdash
00:29:52 Rep. Squires
00:29:57 Dr. Bakdash
00:30:08 Rep. Squires
00:31:22 Dr. Bakdash
00:32:11 Rep. Squires
00:32:20 Dr. Bakdash
00:32:28 Rep. Court
00:33:13 Mr. Flink
00:33:22 Rep. Court
00:34:13 Mark Taylor, Montana Hospital Association
00:34:43 Rep. Court
00:34:58 Chairwoman Arntzen

00:35:21 Ms. MacLean
00:35:54 Rep. Hunter
00:36:52 Mr. Brown
00:37:41 Rep. Hunter
00:38:08 Mr. Brown
00:38:51 Rep. Hunter
00:39:24 Dr. Brewington
00:39:46 Rep. Hunter
00:40:58 Dr. Cook
00:41:59 Rep. McNiven
00:42:57 Ms. MacLean
00:43:05 Rep. McNiven
00:43:45 Mr. Buxbaum
00:44:47 Rep. McNiven
00:45:24 Mr. Buxbaum
00:47:27 Rep. Furey
00:47:54 Mr. Flink
00:48:22 Rep. Furey
00:49:14 Mr. Flink
00:49:56 Rep. Hunter
00:50:45 Mr. Flink
00:51:26 Rep. Reinhart
00:52:01 Ms. MacLean

Closing by Sponsor:

0 :55:11 Rep. Smith

HEARING ON HB 428

Opening Statement by Sponsor:

00:57:51 Rep. Tom Berry (R), HD 45, opened the hearing on HB 428, Revise business filing with Secretary of State.

Proponents' Testimony:

00:59:57 Linda McCulloch, Secretary of State (SOS)

EXHIBIT(buh36a06)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:04:04 Rep. Berry

HEARING ON HB 441

Opening Statement by Sponsor:

02:04:52 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 441, Revise statutes of limitation.

Proponents' Testimony:

01:08:56 Dustin Stewart, Executive Director, Montana Building Industry Association

Opponents' Testimony:

01:10:25 David Slovak, Lawyer, Law Firm Lewis, Slovak, and Kovacich

01:15:25 Mr. Smith

Informational Testimony: None

Questions from Committee Members and Responses:

01:19:12 Rep. Furey

01:20:26 Mr. Smith

01:20:36 Rep. Reinhart

01:20:57 Rep. Fitzpatrick

Closing by Sponsor:

01:21:07 Rep. Fitzpatrick

HEARING ON HB 464

Opening Statement by Sponsor:

01:28:07 Rep. Mark Blasdel (R), HD 10, opened the hearing on HB 464, Provide medical liability protection for hard-to-recruit subspecialists.

Proponents' Testimony:

01:29:20 Dr. Bakadash

01:30:16 Dr. Cook

01:32:17 Dr. Rumans

01:34:12 Dr. Chavez

01:37:01 Dr. Brewington

01:38:28 Mr. Brown

01:39:31 Mr. Foster

01:40:28 Mr. Bennion

Opponents' Testimony:

01:40:58 Mr. Smith

[EXHIBIT\(buh36a07\)](#)

[EXHIBIT\(buh36a08\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:48:35 Rep. Reinhart
01:49:14 Aimee Grmoljez, Attorney, Billings Clinic
01:50:10 Rep. Reinhart
01:50:21 Ms. Grmoljez
01:52:09 Rep. Hunter
01:52:44 Mr. Smith
01:53:18 Rep. Court
01:54:10 Dr. Rumans
01:54:54 Rep. Court
01:54:56 Dr. Rumans
01:54:58 Rep. Court
01:55:02 Dr. Rumans
01:55:13 Rep. Court
01:55:22 Rep. Squires
01:55:36 Dr. Rumans
01:55:40 Rep. Squires
01:55:46 Mr. Rumans
01:56:13 Rep. Squires
01:56:38 Dr. Rumans
01:56:44 Rep. Squires
01:56:51 Dr. Rumans
01:57:13 Rep. Squires
01:57:39 Dr. Rumans
01:57:54 Rep. Squires
01:58:02 Dr. Rumans
01:58:05 Rep. Squires
01:58:42 Mr. Brown
01:59:33 Rep. Squires
01:59:41 Mr. Brown
02:00:13 Rep. Squires
02:00:20 Mr. Brown

Closing by Sponsor:

02:01:13 Rep. Blasdel

ADJOURNMENT

12:04:00 Adjournment:

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([buh36aad.pdf](#))